

1745

Atty. Docket N . SP-0649.1 US



CERTIFICATE OF MAILING

I hereby certify that this paper, together with all enclosures identified herein, are being deposited with the United States Postal Service as first class mail, addressed to Mail Stop DD, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

13 May 2003
Date

Shirley E. O'Donnell
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#25
6.4.32

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 1745
Applicant : John C. Nardi
Appln. No. : 09/213544
Filing Date : December 17, 1998
For : Alkaline Cell Having a Cathode Incorporating Enhanced Graphite

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.97(b)

Pursuant to 37 CFR §§1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached Form PTO-1449. This Information Disclosure Statement is being filed to the undersigned's knowledge before the mailing date of a first Office Action after the filing of a request for continued examination in the above-referenced application.

A copy of the listed documents is submitted herewith along with Form PTO-1449. Applicant respectfully requests that the Examiner consider each of the listed documents and evidence that consideration by making appropriate notations on the attached form.

Applicant : Nardi
Appln. No. : 09/213544
Page : 2

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

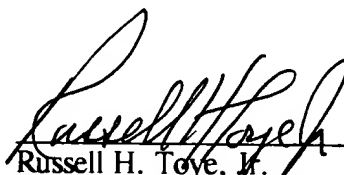
If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 05-1325.

Respectfully submitted,

John C. Nardi

By: Eveready Battery Company, Inc.

5/12/03
Date



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